

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RAYMOND J. WALLER,)
)
Plaintiff,)
)
v.) CASE NO. 2:24-CV-153-ECM-KFP
)
TROY UNIVERSITY,)
)
Defendant.)

ORDER

Upon consideration of Plaintiff's Motions for Leave to Amend Complaint (Docs. 23, 25) and Defendant's Response stating it does not oppose Plaintiff's motion, both motions are GRANTED and it is ORDERED that Plaintiff must file his Amended Complaint by **January 6, 2025**.

When amending the complaint, the plaintiff must comply with all applicable law, including the procedural rules. The complaint must provide "a short and plain statement of the grounds for the court's jurisdiction." Fed. R. Civ. P. 8(a)(1). The complaint must provide "a short and plain statement of the claim showing that the pleader is entitled to relief." Fed. R. Civ. P. 8(a)(2). Each allegation in the complaint must be "simple, concise, and direct." Fed. R. Civ. P. 8(d)(1). The complaint must state claims in numbered paragraphs, "each limited as far as practicable to a single set of circumstances." Fed. R. Civ. P. 10(b). The complaint must clearly identify each claim, the person against whom the claim is brought, and the factual allegations that support the claim. See *Weiland v. Palm Beach Cnty. Sheriff's Off.*, 792 F.3d 1313, 1321–23 (11th Cir. 2015). The complaint must

allege facts, accepted as true, that state a claim “that is plausible on its face.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)).

The amended complaint will supersede all previous complaints. The amended complaint must not incorporate by reference any portion of an earlier pleadings. Thus, this case will proceed only against the defendants and claims in the amended complaint.

If Plaintiff fails to comply with this Order, the case may be subject to a recommendation that it be dismissed.

The Clerk is DIRECTED to send a copy of this Order to Plaintiff Raymond J. Waller at his address of record.

DONE this 20th day of December, 2024.

/s/ Kelly Fitzgerald Pate
KELLY FITZGERALD PATE
UNITED STATES MAGISTRATE JUDGE